



BOARD PACKAGE

February 8, 2023

Regular Board Meeting – 5:00 p.m.

REGULAR BOARD MEETING AGENDA

February 8, 2023 – 5:00 p.m.
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371
& Via Conference Call (see below)

THESE MEETINGS WILL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF ASSEMBLY BILL 361, WHICH EFFECTIVE OCTOBER 1, 2021, MODIFIED CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT WITH RESPECT TO REMOTE TELECONFERENCE BOARD MEETINGS DURING PERIODS OF STATE-DECLARED EMERGENCIES.

Pursuant to AB361, and as a precaution to our Board of Directors, District staff, and general public as a result of the ongoing COVID-19 pandemic, the Phelan Piñon Hills Community Services District will hold this meeting of its Board of Directors both in-person at the above location and via teleconference or video conference. Members of the public may watch and participate in the meeting by physical attendance or by Zoom or telephone conference via the remote instructions below.

REMOTE PARTICIPATION INFORMATION:

Dial-in

1-669-444-9171
Meeting ID: 881 0655 1587
Passcode: 763447

Zoom

<https://us06web.zoom.us/j/88106551587?pwd=SjhOL1ZsVDFsb0oydnNNUE5EbU1ZUT09>
Meeting ID: 881 0655 1587
Passcode: 763447

One-Tap Mobile

+16694449171,,88106551587#

Remote Comment Procedure:

- You will be muted until you are called on during the public comment period.
- You will be recognized by the last 4 digits of your phone number or Zoom ID and asked if you have a comment.
 - If you do not have a comment, state “no comment.”
 - If you do have a comment, please state your name, where you live, and limit your comment to 5 minutes. After 5 minutes you may be muted so that others can comment.
- You may also email your public comment to the Board Secretary at ksevy@pphcsd.org by the meeting start time listed on this agenda. Your comment will be added to the record by the Board Secretary.

Please check the District website for updates on this meeting. We encourage you to sign up for our email notifications by emailing ksevy@pphcsd.org or by visiting our website and completing the signup form at www.pphcsd.org under the “Agendas and Minutes” tab.



Mission Statement:

The Mission of the Phelan Piñon Hills Community Services District is to efficiently provide authorized services and maximize resources for the benefit of the community.

Authorized Services:

- Water
- Parks & Recreation
- Street Lighting
- Solid Waste & Recycling

REGULAR BOARD MEETING – 5:00 P.M.

Call to Order – Pledge of Allegiance

Roll Call1) **Approval of Agenda**

2) **Public Comment** – Under this item, any member of the public wishing to directly address the Board on any item of interest that may or may not be within the subject matter jurisdiction of the Board, but not listed on the agenda, may do so at this time. However, the Board is prohibited by law from taking any action on any item not appearing on the agenda unless the action is otherwise authorized by the Brown Act. Any member of the public wishing to directly address the Board on any item listed on the agenda may do so when the item is being considered by the Board. *If you wish to address the Board, please do so by the method listed on the first page of this agenda.* Speakers are requested to be brief in their remarks. The Chair may limit each speaker to a comment period of five (5) minutes.

a) **General Public**b) **Community Reports**

- C.E.R.T.
- County Supervisor
- Fire
- Mojave Water Agency
- School District
- Sheriff

3) **Consent Items**

- a) Approval of Board Minutes
- b) Acceptance of Board Stipends/Reimbursements
- c) Acceptance of 4th Quarter Solid Waste Hauler's Report

4) **Matters Removed from Consent Items**5) **Presentations/Appointments**6) **Continued/New Agenda Items**

- a) Discussion & Possible Adoption of Resolution No. 2023-05; Authorizing Remote Teleconference Meetings for the Period of February 9, 2023, to March 1, 2023
- b) Discussion & Possible Adoption of Resolution No. 2023-06; Modifying Section 2300 "Parks & Recreation Rates & Fees" of Policy No. 2000 "Comprehensive Schedule of Rates, Fees & Charges for District Services"
- c) Discussion & Possible Action Regarding Resolution No. 2023-07; Establishing Policies for Board Conduct Amongst Directors and with Staff
- d) Review & Discussion Regarding Ordinance No. 2020-01; Setting Compensation for the District's Board of Directors
- e) Update on the Proposed Civic Center & Phelan Park Expansion Projects

7) **Committee Reports/Comments**

- a) Engineering Committee (Standing)
- b) Finance Committee (Standing)
- c) Legislative Committee (Standing)

- d) Parks, Recreation & Street Lighting Committee (Standing)
- e) Waste & Recycling Committee (Standing)

8) **Staff and General Manager's Report**

9) **Reports**

- a) Director's Report
- b) President's Report

10) **Correspondence/Information**

11) **Review of Action Items**

- a) Prior Meeting Action Items
- b) Current Meeting Action Items

12) **Set Agenda for Next Meeting**

- Budget Workshop – February 15, 2023, 5:00pm
- Special Board Meeting – February 22, 2023, 4:00 p.m.
- Regular Board Meeting – February 22, 2023, 5:00p.m.

13) **Adjournment**

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above-agendized public meeting should be directed to the District's General Manager at (760) 868-1212 at least 24 hours prior to said meeting.

Agenda materials can be viewed online at www.pphcsd.org

Agenda Item 3a

Approval of Board Minutes

SPECIAL BOARD MEETING MINUTES

January 9, 2023
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371
& Remotely Via Zoom or Conference Call

Board Members Present: Rebecca Kujawa, President
Mark Roberts, Vice President
Kathy Hoffman, Director
Chuck Hays, Director
Greg Snyder, Director

Board Members Absent: None

Staff Present: Don Bartz, General Manager
Lori Lowrance, Assistant General Manager/CFO
George Cardenas, Engineering Manager
Sean Wright, Water Operations Manager
Chris Cummings, Assistant Water Operations Manager

District Counsel: Steve Kennedy, General Counsel (Zoom)

SPECIAL BOARD MEETING – 6:00 P.M.

Call to Order

President Kujawa called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was conducted.

Roll Call

All Directors were present at roll call.

1) Approval of Agenda

Director Hoffman moved to approve the Agenda. Vice President Roberts seconded the motion. Motion carried 5-0.

2) Public Comment

None

3) Recess to Closed Session

The Board recessed to closed session at 6:01 p.m.

Closed Session: Conference with Real Property Negotiators
(Government Code Section 54956.8)
Property: 9535 Sheep Creek Road, Phelan, California

District Negotiator: Donald J. Bartz, General Manager
Negotiating Parties: Municipal Finance Corporation
Under Negotiation: Site Lease and Lease Agreement

4) **Return to Open Session – Announcement of Reportable Action**

The Board returned to open session at 7:06 p.m. There was no reportable action.

5) **Discussion & Possible Action Regarding Resolution No. 2023-02; Approving a Site Lease and a Lease Agreement; Making Certain Determinations Relating Thereto; and Authorizing Certain Other Actions In Connection Therewith for the Financing of the Civic Center Building**

Staff Recommendation: For the Board to approve Resolution No. 2023-02; Approving a Site Lease and a Lease Agreement; Making Certain Determinations Relating Thereto; and Authorizing Certain Other Actions in Connection Therewith for the Financing of the Civic Center Building (Phase I of the Civic Plaza Project)

Mr. Bartz presented this item.

Director Snyder moved to approve the staff recommendation. Director Hoffman seconded the motion. Motion carried 5-0.

6) **Adjournment**

With no further business before the Board, the meeting was adjourned at 7:07 p.m.

Agenda materials can be viewed online at www.pphcsd.org

Rebecca Kujawa, President of the Board

Date

Kim Sevy, HR & Solid Waste Manager/District Clerk

Date



REGULAR BOARD MEETING MINUTES

January 18, 2023
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371
& Remotely Via Zoom or Conference Call

Board Members Present: Rebecca Kujawa, President
Mark Roberts, Vice President
Kathy Hoffman, Director
Chuck Hays, Director
Greg Snyder, Director

Board Members Absent: None

Staff Present: Don Bartz, General Manager
Kim Sevy, HR & Solid Waste Manager/District Clerk
George Cardenas, Engineering Manager
Chris Cummings, Assistant Water Operations Manager
Jennifer Oakes, Executive Management Analyst

District Counsel: Steve Kennedy, General Counsel (Zoom)

REGULAR BOARD MEETING – 6:00 P.M.

Call to Order

President Kujawa called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was conducted.

Roll Call

All Directors were present at roll call.

1) Approval of Agenda

Director Snyder moved to approve the Agenda. Director Hoffman seconded the motion.
Motion carried 5-0.

2) Public Comment

a) General Public

A written comment was submitted and will be added to the minutes.

b) Community Reports

None

3) Consent Items

Vice President Roberts moved to approve the Consent Items. Director Hays seconded the motion. Motion carried 5-0.

4) Matters Removed from Consent Items

None

5) Presentations/Appointments

None

6) Continued/New Agenda Items**a) Discussion & Possible Adoption of Resolution No. 2023-04; Establishing Policies for Board Member Compensation, Reimbursement, and Ethics Training**

Staff Recommendation: For the Board to review and adopt Resolution No. 2023-04; Establishing Policies for Board Member Compensation, Reimbursement, and Ethics Training.

Mr. Bartz presented this item.

Vice President Roberts moved to approve the staff recommendation. Director Hoffman seconded the motion. Motion carried 5-0.

b) Discussion & Possible Adoption of Ordinance No. 2023-02; Establishing Guidelines for the Conduct of District Public Meetings and Activities

Staff Recommendation: For the Board to adopt Ordinance No. 2023-02; Establishing Guidelines for the Conduct of District Public Meetings and Activities.

Ms. Sevy presented this item.

Director Hays moved to approve the staff recommendation. Director Snyder seconded the motion. Motion carried 3-2 with Director Hoffman and Vice President Roberts opposed.

ACTION ITEMS: Notice new meeting dates and time. Update budget schedule. Cancel regular Board meeting on January 25, 2023.

NOTE: The next regular meeting will be on February 8, 2023; a special meeting will still be held on February 1, 2023, at 4:00 p.m.

c) Discussion & Possible Action Regarding Agreement for Services with Rider Levett Bucknall for Project Management Services for Phase I of the Civic Center Project

Staff Recommendation: For the Board to approve the Agreement for Services with RLB for Project Management Services for Phase I of the Civic Center Project.

Mr. Cardenas presented this item.

Vice President Roberts moved to approve the staff recommendation. President Kujawa seconded the motion. Motion carried 5-0.

ACTION ITEM: Provide Gantt chart or other type of schedule for the project.

d) **Discussion & Possible Adoption of Resolution No. 2023-03; Modifying Section 2200 “Water Fees & Penalties” of Policy No. 2000 “Comprehensive Schedule of Rates, Fees & Charges for District Service**

Staff Recommendation: For the Board to adopt Resolution No. 2023-03; Modifying Section 2200 “Water Fees & Penalties” of Policy No. 2000 “Comprehensive Schedule of Rates, Fees & Charges for District Services.”

Mr. Bartz introduced this item.

Director Hoffman moved to approve the staff recommendation. Director Snyder seconded the motion. Motion carried 5-0.

e) **Discussion & Possible Action Regarding Revision to the District’s Personnel Manual Section 3.7 “Salary Ranges” & Section 3.8 “Reclassifications”**

Staff Recommendation: For the Board to approve the proposed revisions to the District’s Personnel Manual Section 3.7 “Salary Ranges” and Section 3.8 “Reclassifications.”

Ms. Sevy introduced this item.

Director Snyder moved to approve the staff recommendation. Director Hays seconded the motion. Motion carried 5-0.

f) **Update on the Proposed Civic Center & Phelan Park Expansion Projects**

Staff Recommendation: None

Mr. Cardenas provided an update.

No action taken; not an action item.

7) **Committee Reports/Comments**

- a) **Engineering Committee (Standing)** – January meeting was cancelled.
- b) **Finance Committee (Standing)** – Met and reviewed financials and disbursements and discussed the budget process.
- c) **Legislative Committee (Standing)** – Have not met.
- d) **Parks, Recreation & Street Lighting Committee (Standing)** – Reviewed the CIP.
- e) **Waste & Recycling Committee (Standing)** – Will meet next week.

8) **Staff and General Manager’s Report**

Nothing further to report.

9) **Reports**

- a) **Director’s Report**
Hoffman – Nothing to report.
Roberts – Nothing to report.

Hays – Nothing to report.
Snyder – Nothing to report.

b) **President’s Report** – Nothing further to report.

10) **Correspondence/Information** – The items in the packet were noted.

11) **Review of Action Items**

a) **Prior Meeting Action Items** – Complete

b) **Current Meeting Action Items**

- Update budget schedule to reflect new meeting dates/time
- Cancel January 25, 2023, regular Board meeting
- Update meeting calendar and notice new meeting days/time
- Gantt chart, or similar, for Civic Center Project

12) **Set Agenda for Next Meeting**

- Special Board Meeting – February 1, 2023
- Regular Board Meeting – February 8, 2023

13) **Adjournment**

With no further business before the Board, the meeting was adjourned at 7:04 p.m.

Agenda materials can be viewed online at www.pphcsd.org

Rebecca Kujawa, President of the Board

Date

Kim Sevy, HR & Solid Waste Manager/District Clerk

Date



From: [cheryl rhoden](#)
To: [Kim Sevy](#)
Subject: Board meeting, Jan. 18, 2022, Item 6B - Guidelines for Conduct of Board meetings.
Date: Wednesday, January 18, 2023 12:39:55 PM

Hi Kim,

Please distribute this to the Board for tonight's meeting:

I write to suggest the Board consider the following when reorganizing the meeting dates and times:

1) Start time: A start time of 5pm will limit public participation for those who work standard hours. If enacted, the Board may wish to consider a policy of not starting public hearings prior to 6pm or 6:30pm to accommodate greater public participation. The agenda could be organized in such a way as to allow other business before the Board to be considered first.

2) Meeting Schedule & Committees: The Board may want to revisit the necessity of committees. Back in the dark ages, when the CSD was formed, committees were established to allow the Board to move forward on issues while it sought staff and organized itself. The number of committees has been revisited from time-to-time over the years, and several were disbanded. Most of the Standing Committees now meet quarterly and are generally of short duration.

The Board could consider using the second meeting of the month as a replacement for the committees and utilize the first meeting of the month for business and public hearings. Staff has to prepare the agenda items and distribute them. The greatest cost for those meetings is staff time. Meeting more-or-less as a committee of the whole to review what is now brought to committees would benefit the entire Board and result in savings in staff time.

Reorganizing the second meeting to primarily focus on discussion items would likely preclude the need for legal counsel to be present. The Board would want to retain latitude to allow for an action item if needed.

3) Minutes: It is current Board policy that the Minutes be "action minutes." I respectfully submit that when the motion is to approve the staff recommendation "with amendments" it be the policy that those amendments be detailed in the Minutes. Otherwise, there is no formal, written record of the Board's action.

Thank you for your consideration.

Sincerely,
Cheryl D. Rhoden

SPECIAL BOARD MEETING MINUTES
February 1, 2023
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371
& Remotely Via Zoom or Conference Call

Board Members Present: Rebecca Kujawa, President
Mark Roberts, Vice President
Kathy Hoffman, Director
Chuck Hays, Director (Zoom)
Greg Snyder, Director

Board Members Absent: None

Staff Present: Don Bartz, General Manager
Kim Sevy, HR & Solid Waste Manager/District Clerk

District Counsel: Steve Kennedy, General Counsel (Zoom)

SPECIAL BOARD MEETING – 4:00 P.M.

Call to Order

President Kujawa called the meeting to order at 4:01 p.m. and the Pledge of Allegiance was conducted.

Roll Call

All Directors were present at roll call with Director Hays attending remotely.

1) **Approval of Agenda**

Mr. Bartz requested to removed Item 3. Director Hoffman moved to approve the Agenda as amended. Vice President Roberts seconded the motion. Motion carried 5-0.

2) **Public Comment**

Public comment was provided by:

- Peter Barnes
- Debbie McAfee
- Cheryl Rhoden
- Meri (no last name provided)

3) **Administrative Hearing Regarding Appeal of Penalty and Charges Associated with Issuance of Notice of Violation of Ordinance No. 2021-03**

No action taken; this item was removed from the agenda.

4) **Recess to Closed Session**

The Board recessed to closed session at 4:08p.m.

Closed Session:

Conference with Real Property Negotiators
Pursuant to Government Code Section 54956.8
Property: 17900 Sheep Creek Road, El Mirage, California
(APN 0457-161-10)
District Negotiators: Donald J. Bartz, General Manager; Steven M. Kennedy, General Counsel
Negotiating Party: Circle Green, Inc.
Under Negotiation: Sublease Agreement

5) **Return to Open Session – Announcement of Reportable Action**

The Board returned to open session at 4:31 p.m.

Reportable Action: Instruction was given to the General Manager and Legal Counsel to move forward with the amendment to the sublease agreement and license agreement.

6) **Adjournment**

With no further business before the Board, the meeting was adjourned at 4:31 p.m.

Agenda materials can be viewed online at www.pphcsd.org

Rebecca Kujawa, President of the Board

Date

Kim Sevy, HR & Solid Waste Manager/District Clerk

Date

Agenda Item 3b

Acceptance of Board
Stipends/Reimbursements

Phelan Piñon Hills Community Services District BOARD STIPEND & EXPENSE VOUCHER/REPORT

2022		AB1234 Compliant							Report of items paid for with District Credit Card***		
		*MAXIMUM PAID @ \$120 PER MEETING DAY AND LIMITED TO 10 MEETINGS PER MONTH									
Name: Mark Roberts - Revised		Date: January 17, 2023									
		Reimbursed @ 0.625			REIMBURSEMENT REQUESTED				CREDIT CARD EXPENSES		
Date of mtg. or event	A	Expense Description / Business Purpose	*Meeting (\$120 or N/C)	Miles	Mileage**	Meals	Lodging	Other	Meals	Lodging	Other
11/02/22		Regular Board Meeting	120.00		-						
11/09/22		Engineering Committee Meeting	120.00		-						
11/19/22		Regular Board Meeting	120.00		-						
11/29/22		ACWA Conference	120.00	101.00			1,333.45				
11/30/22		ACWA Conference	120.00								
					-						
					-						
					-						
					-						
					-						
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					-						
					-						
					-						
					-						
Totals			600.00	101.00	-	-	1,333.45	-	-	-	-

<p>A: Board Approved? (section 2.4)</p> <div style="border: 1px solid black; background-color: yellow; padding: 5px; margin: 10px 0;"> <p>I certify the expenses listed above are related to my authorized travel according to the Phelan Piñon Hills Community Services District Policies.</p> </div> <p style="text-align: center;"><i>Board member's signature below</i></p> <p style="text-align: center; font-family: cursive; font-size: 1.2em;">Mark Roberts</p> <p style="text-align: center; font-size: small;">Signature</p>	<p>Acct # _____</p>	<p style="text-align: center;">Totals:</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">Meetings</td><td style="width: 50%; text-align: right;">600.00</td></tr> <tr><td>Mileage</td><td style="text-align: right;">101.00</td></tr> <tr><td>Meals</td><td style="text-align: right;">-</td></tr> <tr><td>Lodging</td><td style="text-align: right;">1,333.45</td></tr> <tr><td>Other</td><td style="text-align: right;">-</td></tr> <tr><td>Grand Total</td><td style="text-align: right; border-top: 1px solid black; border-bottom: 3px double black;">2,034.45</td></tr> </table>	Meetings	600.00	Mileage	101.00	Meals	-	Lodging	1,333.45	Other	-	Grand Total	2,034.45	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">Payroll</td><td style="width: 50%; text-align: right;">Date</td></tr> <tr><td>Board Mtg</td><td></td></tr> <tr><td>Meals</td><td style="text-align: right;">-</td></tr> <tr><td>Lodging</td><td style="text-align: right;">-</td></tr> <tr><td>Other</td><td style="text-align: right;">-</td></tr> <tr><td></td><td style="text-align: right; border-top: 1px solid black; border-bottom: 3px double black;">-</td></tr> </table>	Payroll	Date	Board Mtg		Meals	-	Lodging	-	Other	-		-
Meetings	600.00																										
Mileage	101.00																										
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Lodging	1,333.45																										
Other	-																										
Grand Total	2,034.45																										
Payroll	Date																										
Board Mtg																											
Meals	-																										
Lodging	-																										
Other	-																										
	-																										

**Mileage is automatically calculated based on the number of miles entered.

***Credit card receipts must be turned in to the office within 24 hours of the charge or return to the District.

Phelan Piñon Hills Community Services District

BOARD STIPEND & EXPENSE VOUCHER/REPORT

2022					AB1234 Compliant						
*MAXIMUM PAID @ \$120 PER MEETING DAY AND LIMITED TO 10 MEETINGS PER MONTH					Report of items paid for with District Credit Card***						
Name: Mark Roberts					Date: January 17, 2023						
Reimbursed @ 0.625					REIMBURSEMENT REQUESTED				CREDIT CARD EXPENSES		
Date of mtg. or event	A	Expense Description / Business Purpose	*Meeting (\$120 or N/C)	Miles	Mileage**	Meals	Lodging	Other	Meals	Lodging	Other
12/01/22		ACWA Conference	120.00	101.00	63.13						
					-						
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Totals			120.00	101.00	63.13	-	-	-	-	-	-
<p style="color: red; font-weight: bold; font-size: small;">A: Board Approved? (section 2.4)</p> <div style="border: 1px solid black; background-color: yellow; padding: 5px; margin: 5px 0;"> <p style="font-size: small;">I certify the expenses listed above are related to my authorized travel according to the Phelan Piñon Hills Community Services District Policies.</p> </div> <p style="font-weight: bold; font-size: small;">Board member's signature below</p> <p style="text-align: center; font-size: small;"><i>Mark Roberts</i></p> <p style="text-align: center; font-size: small;">_____ Signature</p>					Totals:				Date		
					Acct #	Meetings	120.00	Payroll			
						Mileage	63.13	Board Mtg			
						Meals	-		Meals	-	
						Lodging	-		Lodging	-	
	Other	-		Other	-						
Grand Total		183.13			-						

**Mileage is automatically calculated based on the number of miles entered.

***Credit card receipts must be turned in to the office within 24 hours of the charge or return to the District.

**Phelan Piñon Hills Community Services District
BOARD STIPEND & EXPENSE VOUCHER/REPORT**

2023		AB1234 Compliant									
		<i>*MAXIMUM PAID @ \$120 PER MEETING DAY AND LIMITED TO 10 MEETINGS PER MONTH</i>							Report of items paid for with District Credit Card***		
Name: Chuck Hays		Date: January 27, 2023									
		Reimbursed @ 0.625			REIMBURSEMENT REQUESTED				CREDIT CARD EXPENSES		
Date of mtg. or event	A	Expense Description / Business Purpose	*Meeting (\$120 or N/C)	Miles	Mileage**	Meals	Lodging	Other	Meals	Lodging	Other
12/29/22		Training "Sexual Harassment Prevention for Supervisors"	120.00	0.00	-						
12/31/22		Ca. Local Agency Ethics	120.00	0.00	-						
01/03/23		Meet with GM to discuss Agenda Items	120.00	10.20	6.68						
01/04/23		Board Meeting	120.00	10.20	6.68						
01/09/23		Special Board Meeting	120.00	10.20	6.68						
01/17/23		Finance Committee Meeting	120.00	10.20	6.68						
01/18/23		Board Meeting	120.00	10.20	6.68						
					-						
					-						
					-						
					-						
					-						
					-						
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					-						
					-						
		Totals		840.00	51.00	33.41	-	-	-	-	-

<p>A: Board Approved? (section 2.4)</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>I certify the expenses listed above are related to my authorized travel according to the Phelan Piñon Hills Community Services District Policies.</p> </div> <p align="center"><i>Board member's signature below</i></p> <p align="center"><i>Chuck Hays</i></p> <p>_____ Signature</p>	Acct #	Totals:								
		_____	Meetings	840.00						
		_____	Mileage	33.41						
		_____	Meals	-						
	_____	Lodging	-							
	_____	Other	-							
		Grand Total		873.41						

		Meals	-
		Lodging	-
		Other	-
		Totals	-

Mileage is automatically calculated based on the number of miles entered. *Credit card receipts must be turned in to the office within 24 hours of the charge or return to the District.

Phelan Piñon Hills Community Services District

BOARD STIPEND & EXPENSE VOUCHER/REPORT

2023	AB1234 Compliant														
*MAXIMUM PAID @ \$120 PER MEETING DAY AND LIMITED TO 10 MEETINGS PER MONTH															
Name: Rebecca Kujawa					Date: January 29, 2023					Report of items paid for with District Credit Card***					
Reimbursed @ 0.655					REIMBURSEMENT REQUESTED				CREDIT CARD EXPENSES						
Date of mtg. or event	A	Expense Description / Business Purpose			*Meeting (\$120 or N/C)	Miles	Mileage**	Meals	Lodging	Other	Meals	Lodging	Other		
01/04/23		Board Meeting			120.00	10.20	6.68								
01/09/23		Special Board Meeting			120.00	10.20	6.68								
01/10/23		Park & Recreation Committee Meeting			120.00	0.00	-								
01/18/23		Board Meeting			120.00	10.20	6.68								
01/23/23		ASBCSD			120.00	77.80	50.96								
01/26/23		Solid Waste & Recycling Meeting			120.00	0.00	-								
							-								
							-								
							-								
							-								
							-								
							-								
							-								
							-								
							-								
							-								
							-								
Totals					720.00	108.40	71.00	-	-	-	-	-	-		

A: Board Approved? (section 2.4)		Totals:			Date	
I certify the expenses listed above are related to my authorized travel according to the Phelan Piñon Hills Community Services District Policies.	Acct #	Meetings	720.00	Payroll		
		Mileage	71.00	Board Mtg		
		Meals	-		Meals	-
		Lodging	-		Lodging	-
		Other	-		Other	-
	Grand Total			791.00		-

Board member's signature below

Rebecca Kujawa

Signature

Fi

**Mileage is automatically calculated based on the number of miles entered.

***Credit card receipts must be turned in to the office within 24 hours of the charge or return to the District.

Agenda Item 3c

Acceptance of 4th Quarter Solid
Waste Hauler's Report

**San Bernardino County
Unincorporated Area Franchise Hauler
Quarterly Report**

Reporting Period: 10/1/22 to 12/31/22

CFA PPHCSD

Hauler:	CR&R
Contact Name & Phone No.	Brandon McGill 760-524-1409
e-mail address	brandonm@crrmail.com
Billing Accts	1030 & 1052

Section 12.2

All DRS/Data Exchange Corrections Submitted On-time (y/n)	YES	YES
---	-----	-----

Section 12.3(a)

Collection Information Report

Account Types	Residential			Commercial		
	Month 1	Month 2	Month 3	Month 1	Month 2	Month 3
Total # of accounts serviced	5,026	5,043	5,109	122	122	121
# of barrel accounts serviced	3,593	3,603	3,663	6	6	6
# of bin accounts serviced	1,433	1,440	1,446	116	116	115
# of Clean Mountain/Drop Off accounts	0	0	0			
# of Fee Waiver Accounts-if applicable	0	0	0			
# of Cleanup Service (Temporary) placements				18	10	8

Commercial Accounts

Total # of Commercial Business accounts serviced		122	122	121
# of comm bus accounts w/ recycling services		122	121	120
Total # of multi-family accounts		1	1	1
# of multi-family accounts w/ recycling services		1	1	1
Total # of commercial business accounts that fall under AB 341 (≥ 4 CY/wk)		46	46	46
# of commercial business accounts that fall under AB 341 w/ recycling service		46	46	46
Total # of multi-family accounts that fall under AB 341 regulation (≥ 5 units)		1	1	1
# of multi-family accounts that fall under AB 341 regulation w/ recycling service		1	1	1
Total # of comm business accounts that fall under AB 1826 (min. 4CY organics/wk)		27	27	27
# of comm business accounts that fall under AB 1826 w/ organics recycling service		0	0	0
Total # of multi-family accounts that fall under AB 1826 (≥ 5 units & min. 4CY organics/wk)		0	0	0
# of multi-family accounts that fall under AB 1826 w/ organics recycling service		0	0	0

Actual Disposal (tons)

Route tons per month solid waste	902.93	1,014.82	1,066.01	344.37	275.84	249.39
Clean Mountain/Drop Off (CFA 16 & 17)	0.00	0.00	0.00			
Tons per month roll-off solid waste				185.91	128.55	85.22
Tons from Cleanup Service (Temporary) placements				4.03	3.62	8.46
Tons processing residual/residue solid waste disposed In-County	0.00	0.00	0.00	0.00	0.00	0.00
Tons processing residual/residue solid waste disposed Out-of-County	0.00	0.00	0.00	0.00	0.00	0.00
Total monthly solid waste disposal tons	902.93	1014.82	1066.01	534.31	408.01	343.07

**San Bernardino County
Unincorporated Area Franchised Hauler
Quarterly Report**

Section 12.3(a) Continued...

Diversion (see Diversion Worksheet)						
Total net Regular Diversion per month	1.30	1.60	1.40	19.07	22.06	25.06
Total net Green Waste Diversion per month	0.00	0.00	0.00	0.00	0.00	0.00
Combined Net Diversion per month	1.30	1.60	1.40	19.07	22.06	25.06
Monthly Waste Generation	904.23	1,016.42	1,067.41	553.38	430.07	368.13
Total Monthly Diversion Rate (%)	0.14%	0.16%	0.13%	3.45%	5.13%	6.81%

Section 12.3(b)

Service Information Report

# of commendations	6	9	4
# of litter complaints	0	0	0
# of property damage complaints	0	0	0
# of misplaced container complaints	0	0	0
# of personnel complaints	0	0	0
# of missed pick-ups	1	3	2
# of replacement containers	14	9	22
# of stolen containers	0	0	1
# of other complaints	0	0	0
# of semi-annual no charge bulky item pickups	62	58	64
# of charged bulky item pickups	0	0	0

Section 12.3(c)

Program Implementation and Evaluation

Attach a separate narrative describing outreach efforts made to increase the number of commercial and multi-family recycling accounts.

Section 12.3(d)

Financial Information

Total Gross Receipts(including Lien Revenue, this should match the figure on your Franchise Fee Worksheet which appears in Column E, Row 5)	389,104.15	261,143.04	216,339.10
Franchise Fee Rate	10.00%	10.00%	10.00%
Franchise Fee	38,910.42	26,114.30	21,633.91

Exhibit "A" Section D(3)

Special Collections

Number of no-charge roll-offs this quarter

0

Agenda Item 4

Matters Removed from
Consent Items

Agenda Item 5

Presentations/Appointments

Agenda Item 6a

Discussion & Possible Adoption of Resolution No. 2023-05; Authorizing Remote Teleconference Meetings for the Period of February 9, 2023, to March 1, 2023

MEMORANDUM

DATE: February 8, 2023

TO: Board of Directors

FROM: Don Bartz, General Manager
By: Kim Sevy, HR & Solid Waste Manager/District Clerk

SUBJECT: Discussion & Possible Adoption of Resolution No. 2023-05; Authorizing Remote Teleconference Meetings for the Period of February 9, 2023, to March 1, 2023

STAFF RECOMMENDATION

For the Board to adopt Resolution No. 2023-05; Authorizing Remote Teleconference Meetings for the Period of February 9, 2023, to March 1, 2023, should the Board desire to continue holding remote teleconference meetings under AB 361.

BACKGROUND

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 to implement social distancing in response to the COVID-19 pandemic, which waived all of the legislative requirements in the Brown Act expressly or impliedly requiring the physical presence of Board members, District staff, or the public as a condition of participation in, or a quorum for a public meeting. The remote meeting rules of Executive Order N-29-20 expired on September 30, 2021, pursuant to the Governor's issuance of Executive Order N-15-21.

Beginning October 1, 2021, Assembly Bill ("AB") 361 amended the Brown Act by adding Government Code Section 54953(e) to allow local agencies to meeting virtually without complying with the above requirements under the following rules:

1. Declared State of Emergency. The Governor must have declared a state of emergency regarding which either (a) State or local officials have imposed or recommended measures to promote social distancing or (b) the legislative body determines, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees due to the emergency.
2. Public Comment Opportunities in Real Time. A legislative body that meets virtually pursuant to AB 361 must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must provide an opportunity for members of the public to directly address the body in real time. A legislative body cannot require public comments to be submitted in advance of the meeting.
3. No Action During Disruptions. In the event of a disruption that prevents the local agency from broadcasting the virtual meeting, or in the event of a disruption within the local

agency's control that prevents members of the public from offering public comments using the call-in option or internet-based option, the legislative body is prohibited from taking any further action on items appearing on the meeting agenda until public access to the meeting via the call-in or internet-based option is restored.

4. Periodic Findings. Every 30 days, starting when it first meets virtually under AB 361, the legislative body must find, by majority vote, that it has reconsidered the circumstances or the state of emergency, and either (a) the state of emergency continues to directly impact the ability of the members to meet safely in person or (b) State or local officials continue to impose or recommend measures to promote social distancing.

The District has utilized this legislation to allow the public and directors to participate remotely in meetings. The Governor has indicated the state of emergency will expire at the end of February 2023, which will eliminate the ability to utilize AB 361 for the purposes of conducting remote meetings.

Various bills have been introduced before the State Legislature to extend teleconferencing options beyond the sunset date of AB 361 and/or independent of a proclamation from the Governor of a statewide state of emergency and the need for an ongoing 30-day local recertification that such emergency restricts the ability of agencies to safely meet in person.

However, only one of those bills, AB 2449, sponsored by Three Valleys Municipal Water District was successfully enacted into the Brown Act. AB 2449, better known as the "Steve Kennedy Law," went into effect immediately. This law allows for remote participation by the public and directors, however several conditions apply which limit usage. Additionally, this law sunsets January 1, 2026.

The Ralph M. Brown Act, Government Code Sections 54950-54963 ("Brown Act"), is a California "Sunshine" law that sets forth the requirements for public access to meetings of local governmental agencies. Under the Brown Act, legislative bodies of local agencies may conduct meetings via teleconference subject to the following conditions set forth in Government Code Section 54953(b):

- (i) A quorum of the body must participate from location within the local agency's jurisdiction, but other members may participate from outside the jurisdiction;
- (ii) The remote location(s) must be connected to the main meeting location by telephone, video, or both;
- (iii) The notice and agenda for the meeting must identify the remote location(s);
- (iv) The remote location(s) must be posted and accessible to the public;
- (v) All votes must be by roll call; and
- (vi) The meeting must otherwise comply with the Brown Act, which includes allowing participation by members of the public present in remote location(s).

With the expiration of AB 361, Board members will no longer be allowed to participate remotely without following the procedures set forth in either the Brown Act or AB 2449. However, the public, staff, and consultants can still attend remotely without the requirements of AB 361; staff is in the process of developing that option and will present it to the Board at the February 22, 2023, Board meeting.

FISCAL IMPACT

None

ATTACHMENT(S)

Resolution No. 2023-05

RESOLUTION NO. 2023-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM, DECLARING THAT LOCAL EMERGENCY CONDITIONS PERSIST, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS AND ITS STANDING COMMITTEES FOR THE PERIOD FEBRUARY 9, 2023, TO MARCH 1, 2023, PURSUANT TO BROWN ACT PROVISIONS

WHEREAS, the Phelan Pinon Hills Community Services District (the “District”) is committed to preserving and nurturing public access and participation in meetings of its Board of Directors; and

WHEREAS, all meetings of the District’s Board of Directors (the “Board”) and its standing committees are open and public, as required by the Ralph M. Brown Act (California Government Code Sections 54950-54963), so that any member of the public may attend, participate, and watch those bodies conduct their business; and

WHEREAS, the Brown Act, in Government Code Section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition for application of Government Code Section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the State caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist in California as a result of the threat of COVID-19, and such proclamation has not yet been lifted; and

WHEREAS, it is further required under Government Code Section 54953(e) that state or local officials have imposed or recommended measures to promote social distancing or that the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board previously adopted Resolution No. 2023-01 on January 4, 2023, finding that the requisite conditions exist for the Board and its standing committees to conduct remote teleconference meetings without compliance with Government Code Section 54953(b)(3); and

WHEREAS, as a condition of extending the use of the provisions set forth in Government Code Section 54953(e), the Board must reconsider the circumstances of the state of emergency that exists within the District, and the Board has done so; and

WHEREAS, emergency conditions persist within the District, specifically COVID-19 and its Delta variant, remain highly contagious and, therefore, a threat to the health, safety, and well-being of the District's employees, directors, vendors, contractors, customers, visitors, and residents; and

WHEREAS, directions from the San Bernardino County Department of Public Health and regulations from the State of California impose various social distancing restrictions and provide guidance on best practices with respect to actions to reduce the spread of COVID-19; and

WHEREAS, the Board does hereby find that a state of emergency continues to exist within the District's service area as a result of the continuing presence of COVID-19, which has caused, and will continue to cause, conditions of imminent risk to attendees of Board meetings, and has resulted in local, State, and federal social distancing orders and related guidance, and which has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and the Board desires to re-affirm that a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, the Board does hereby find that the Board and all standing committees thereof shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Government Code Section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Government Code Section 54953; and

WHEREAS, the District will continue to provide proper notice to the public regarding all Board and standing committee meetings in accordance with Government Code Section 54953(e)(2) and shall continue to provide notice to the public of how they may access any such meeting via call-in number and/or internet link.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Board hereby considers the conditions of the state of emergency within the District and proclaims that a local emergency persists throughout the District as a result of the continuing presence of COVID-19, which continues to cause conditions of imminent risk to

attendees of the District's Board and standing committee meetings, and which have resulted in local, State, and federal social distancing orders and guidance, and that continuing to conduct the District's Board and standing committee meetings virtually will minimize the possible spread COVID-19 and any variant thereof.

Section 3. Re-Ratification of Governor's Proclamation of a State of Emergency. The Board hereby re-ratifies the Governor of the State of California's Proclamation of State of Emergency regarding COVID-19, dated March 4, 2020.

Section 4. Remote Teleconference Meetings. The District's General Manager, or his or her designee, and the Board and standing committees of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including but not limited to continuing to conduct open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect on February 9, 2023, and shall be effective until the expiration of the State of Emergency regarding COVID-19, dated March 4, 2020.

PASSED AND ADOPTED by the Board of Directors of the Phelan Pinon Hills Community Services District this 8th day of February, 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

President, Board of Directors

ATTEST:

Secretary, Board of Directors

Agenda Item 6b

Discussion & Possible Adoption of Resolution No. 2023-06; Modifying Section 2300 “Parks & Recreation Rates & Fees” of Policy No. 2000 “Comprehensive Schedule of Rates, Fees & Charges for District Services”

M E M O R A N D U M

DATE: February 8, 2023

TO: Board of Directors

FROM: Don Bartz, General Manager
By: Kim Sevy, HR & Solid Waste Manager/District Clerk

SUBJECT: Discussion & Possible Adoption of Resolution No. 2023-06; Modifying Section 2300 “Parks & Recreation Rates & Fees” of Policy No. 2000 “Comprehensive Schedule of Rates, Fees & Charges for District Services”

STAFF RECOMMENDATION

For the Board to adopt Resolution No. 2023-06; Modifying Section 2300 “Parks & Recreation Rates & Fees” of Policy No. 2000 “Comprehensive Schedule of Rates, Fees & Charges for District Services

BACKGROUND

District staff completed a comprehensive review of District rates and fees for non-utility billing or trash disposal services. For Section 2300 of Policy No. 2000, the following changes are recommended to better reflect the cost of providing certain services. These fees have not been modified since May 5, 2010. Staff recommends removing non-resident fees since they are not utilized. Additionally, staff recommends removing the deposit requirement since a deposit has never been charged against and each rental requires an insurance policy which could be utilized in the event of damage. Removal of the deposit will reduce staff time collecting and returning the deposit and will hopefully encourage additional rentals.

NO.	FEE DESCRIPTION	RATE	PROPOSED CHANGE
2310.00	Community Center Rental		Update numbering
2310.01	Category 1 Resident – Weekday	\$15.00 per hour	\$30.00 per hour
2310.02	Category 1 Non-Resident – Weekday	\$20.00 per hour	Remove Item
2310.02	Category 1 Resident – Weekend	\$20.00 per hour	\$40.00 per hour
2310.04	Category 1 Non-Resident – Weekend	\$25.00 per hour	Remove Item
2310.03	Category 2 Resident – Weekday	\$20.00 per hour	\$40.00 per hour
2310.06	Category 2 Non-Resident – Weekday	\$25.00 per hour	Remove Item
2310.04	Category 2 Resident – Weekend	\$25.00 per hour	\$50.00 per hour
2310.08	Category 2 Non-Resident – Weekend	\$30.00 per hour	Remove Item
2310.05	Kitchen Fee – Phelan Community Center (Unit B) – Resident	\$15.00 per event	\$30.00 per event

2310.10	Kitchen Fee—Phelan Community Center (Unit B)—Non-Resident	\$20.00 per event	Remove Item
2310.06	Kitchen Fee – Phelan Senior Center, Commercial (Unit A) – Resident	\$35.00 per event	\$70.00 per event
2310.12	Kitchen Fee—Phelan Senior Center (Unit A), Commercial—Non-Resident	\$40.00 per event	Remove Item
2310.07	Kitchen Fee – Piñon Hills Community Center, Commercial – Resident	\$35.00 per event	\$70.00 per event
2310.14	Kitchen Fee—Piñon Hills Community Center, Commercial—Non-Resident	\$40.00 per event	Remove Item
2310.15	Security Deposit—Category 1	\$100.00 per event	Remove Item
2310.16	Security Deposit—Category 2	\$200.00 per event	Remove Item
2310.08	Additional Cleaning Fee	Billed at \$40 per hour	Add Item
2310.09	Damages	Billed at actual costs	Add Item
2320.00	Temporary Use Agreement	By written agreement only	Add Item
2330.00	Vacant Land Use	By written agreement only	

A survey was conducted to compare similar facility rates in the High Desert. The results are as follows:

LOCATIONS	CAPACITY		COST	
	MEETING	DINNER	PER HOUR	KITCHEN (FLAT RATE)
PPHCSD Proposed Rates				
Phelan Community Center	110	70-90	\$30-\$50	\$30.00
Phelan Senior Center	100	60-80	\$30-\$50	\$70.00
Piñon Hills Community Center	120	80-100	\$30-\$50	\$70.00
City of Hesperia				
Lime Street Community Center	360	180	\$35-\$70	N/A
Rick Novack Community Center	200	100	\$35-\$70	N/A
John Swisher Community Center	150	120	\$35-\$70	N/A
Town of Apple Valley				
James A. Woody Community Center – Arts & Craft Room	50	40	\$19-\$23	N/A
Town Hall Recreation Center – Rooms 1 & 2	70	N/A	\$26-\$34	N/A
Town Hall Recreation Center – Rooms 3 & 4	35	N/A	\$21-\$26	N/A
Town Hall Recreation Center – Room 5	150	100-200	\$45-\$56	N/A
City of Victorville				
Hook Community Center – Small Meeting Room	35	N/A	\$35-\$40	N/A
Victorville Activities Center – Small Auditorium	108	54	\$39-\$44	N/A
Victorville Activities Center – Large Auditorium	182	134	\$45-\$50	N/A

FISCAL IMPACT

These fees are designed to cover the costs for associated services and revenue will vary based on utilization of the community center. Based on 2022 usage, revenue would increase by \$13,137.50.

ATTACHMENT(S)

Resolution No. 2023-06

RESOLUTION NO. 2023-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT MODIFYING SECTION 2300 “PARKS & RECREATION RATES & FEES” OF POLICY NO. 2000 “COMPREHENSIVE SCHEDULE OF RATES, FEES & CHARGES FOR DISTRICT SERVICES”

WHEREAS, the Phelan Piñon Hills Community Services District (“the District”) is a Community Services District organized and operating pursuant to Government Code 61000 et seq.; and

WHEREAS, the District authorized by applicable law to establish various schedules of rates, fees, and charges for services provided by the District and that such rates, fees, and/or charges do not exceed the estimated reasonable cost of providing such services; and

WHEREAS, certain policies and procedures adopted by the Board of Directors specify various rates and fees for District services; and

WHEREAS, certain board actions in compliance with applicable legal requirement have been taken to establish certain rates, fees, and charges incorporated in the attached schedule of fees; and

WHEREAS, in accordance with applicable law, the District has conducted and concluded a duly noticed public hearing with respect to the adoption of Resolution No. 2017-20; Establishing Policy No. 2000 “Comprehensive Schedule of Rates, Fees & Charges for District Services; and

WHEREAS, based upon evidence presented to the Board of Directors, the Board of Directors desires to modify portions of Section 2300 of Policy No. 2000 to reflect the actual costs associated with service.

NOW, THEREFORE, BE IT RESOLVED that Policy No. 2000 is hereby modified as follows:

NO.	FEE DESCRIPTION	RATE
2310.00	COMMUNITY CENTER RENTAL	
2310.01	CATEGORY 1 RESIDENT – WEEKDAY	\$30.00 PER HOUR
2310.02	CATEGORY 1 RESIDENT – WEEKEND	\$40.00 PER HOUR
2310.03	CATEGORY 2 RESIDENT – WEEKDAY	\$40.00 PER HOUR
2310.04	CATEGORY 2 RESIDENT – WEEKEND	\$50.00 PER HOUR
2310.05	KITCHEN FEE – PHELAN COMMUNITY CENTER (UNIT B)	\$30.00 PER EVENT
2310.06	KITCHEN FEE – PHELAN SENIOR CENTER, COMMERCIAL (UNIT A)	\$70.00 PER EVENT
2310.07	KITCHEN FEE – PIÑON HILLS COMMUNITY CENTER, COMMERCIAL	\$70.00 PER EVENT
2310.08	ADDITIONAL CLEANING FEE	\$40/HOUR

2310.09 DAMAGES
2320.00 TEMPORARY USE AGREEMENT
2330.00 VACANT LAND USE

ACTUAL COST
BY WRITTEN AGREEMENT ONLY
BY WRITTEN AGREEMENT ONLY

PASSED AND ADOPTED by the Board of Directors of the Phelan Pinon Hills Community Services District this 8th day of February 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

President, Board of Directors

ATTEST:

Secretary, Board of Directors

Agenda Item 6c

Discussion & Possible Action
Regarding Resolution No. 2023-07;
Establishing Policies for Board
Conduct Amongst Directors and with
Staff



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P.O. Box 294049
Phelan, CA 92329
P. (760) 868-1212
F. (760) 868-2323
W. www.pphcsd.org

MEMORANDUM

DATE: February 8, 2023

TO: Board of Directors

FROM: Don Bartz, General Manager
By: Kim Ward, HR Manager/Executive Secretary

SUBJECT: Review & Discussion of Resolution No. 2022-01; Establishing Policies for Board Conduct Amongst Directors and with Staff

RECOMMENDATION

Staff recommends for the Board to review Resolution No. 2022-01; Establishing Policies for Board Conduct Amongst Directors and with Staff.

BACKGROUND

Periodically, the District's policy concerning relations among Board members and staff is reviewed to determine if changes are necessary. The last modification occurred on September 4, 2019, when the policy was amended to address the use of social media by Directors. The policy was last reviewed and on January 5, 2022; no material changes were made.

FISCAL IMPACT

None

ATTACHED:

Resolution No. 2022-01

RESOLUTION NO. 2022-01
A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT
ESTABLISHING POLICIES FOR BOARD CONDUCT
AMONGST DIRECTORS AND WITH STAFF

WHEREAS, the Board of Directors of the Phelan Pinon Hills Community Services District finds as follows:

A. The Phelan Pinon Hills Community Services District ("the District") is a community services district organized and operating pursuant to California Government Code Section 61000 et seq.

B. The District is governed by an elected Board of Directors ("the Board") whose meetings are subject to the requirements of the Ralph M. Brown Act, California Government Code Section 54950 et seq. ("the Brown Act"), pursuant to California Government Code Section 61044.

C. The Board adopted Ordinance No. 2019-01 on January 2, 2019, establishing guidelines for the conduct of its public meetings and activities and imposing requirements upon itself which allow greater access to its meetings than prescribed by the Brown Act.

D. The purpose of this Resolution is to supplement Ordinance No. 2019-01 and to ensure that the Board's deliberations are conducted honorably and that its activities are performed in a manner that reflects a dedication to the highest standards of integrity so as to continue to earn the trust and confidence of the public served by the District.

THEREFORE, THE BOARD OF DIRECTORS of the Phelan Pinon Hills Community Services District does hereby resolve as follows:

Section 1. **RELATIONS BETWEEN DIRECTORS.**

1.1. **Duties.** The Board shall govern the District. The Board shall establish policies, direction, procedures and oversight for the operation of the District. The Board shall provide for the implementation of those policies, which is the responsibility of the District's General Manager. All members of the Board shall exercise their independent judgment on behalf of the entire District, including the residents, property owners, and the public as a whole in furthering the purposes and intent of the District.

1.2. **Officers.**

1.2.1. Within 45 days after each general District or unopposed election, the

Board shall meet and elect the officers of the Board. The Board shall elect its officers annually at its second meeting in December.

1.2.2. The officers of the Board are President and Vice-President. The President shall preside over meetings of the Board and the Vice-President shall serve in the President's absence or inability to serve. The Board may create additional offices and elect members to those offices, provided no members of the Board shall hold more than one office.

1.3. **Parliamentary Procedure.**

1.3.1. A majority of the total membership of the Board shall constitute a quorum for the transaction of District business. Except as otherwise specifically provided by law, a majority of the total membership of the Board is required for the Board to take action. The Board shall act only by ordinance, resolution, or motion. The Board President shall have the same rights and obligations of the other Directors concerning voting procedures. The minutes of the Board shall record the aye and no votes taken by the members of the Board for the passage of all ordinances, resolutions, or motions. The Board shall keep a record of all its actions, including financial transactions.

1.3.2. Meetings of the Board shall be subject to the Brown Act and Ordinance No. 2019-01 (as may be amended from time to time). Rosenberg's Rules of Order shall provide general guidance for the conduct of the Board's business, except where otherwise provided by law, ordinance, resolution, or motion of the District, or otherwise inconsistent with the intent of the Board. The Board President (or committee chair) shall preserve order and decorum and will rule on all matters of procedure, with the advice of legal counsel. Questions of law may be referred to the District's legal counsel for opinion.

1.4. **Committees.** Any matter brought before the Board may, if deemed necessary, be referred to District staff or a committee of the Board composed of less than a quorum of the Board for review and recommendation. The Board may establish such standing and ad hoc committees as it deems necessary. The selection of the Board members to serve on such committees shall be recommended by the Board President and approved by a majority of the Board. A review of the Board's committees shall be conducted on an annual basis.

1.4.1. Pursuant to Section 1 of Ordinance No. 2019-01, all meetings of standing committees of the Board shall be conducted in compliance with all applicable requirements of the Brown Act. Non-committee Board members may attend standing committee meetings, but shall not participate in the meetings.

1.4.2. Meetings of ad hoc committees of the Board may be exempt from the notice, agenda, and public participation requirements of the Brown Act as long as the committees substantially comply with the following guidelines: (1) The committee's duration should be restricted to a relatively short period of time; (2) The committee's purpose should be limited to a single and specific task; (3) The committee shall not be given any independent discretionary authority to make ultimate decisions on behalf of the Board with respect to the final resolution of the task; (4) The committee's charge should not be automatically renewed upon completion of its particular assignment or expiration of its fixed term; (5) The committee's meeting schedule should not be on a regular basis or established by formal action of the Board; (6) Public notice of the formation of the committee shall be given in a timely manner; and (7) Neither non-committee Board members nor select outside parties shall be invited or permitted to attend the committee meetings.

1.4.3 Disputes arising regarding the selection of a committee chairperson shall be settled by the Board President.

1.5. **Personal Conduct**. The business of the District is a team effort. All Board members should work together in a collaborative manner, assisting each other in conducting the affairs of the District. Directors shall, at all times, conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings. Directors shall defer to the President concerning the conduct of Board meetings, but shall be free to question and discuss items on the agenda. In turn, the Board President shall not exercise the privileges of the office in such a manner as to unfairly advance his or her own personal opinions or unduly prejudice the positions of other Board members. When responding to requests and concerns from the public and other District customers, Board members should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel. Board members should develop a working relationship with the District's General Manager wherein current issues,

concerns, and District projects can be discussed comfortably and openly. Board members should function as a part of the whole. Issues should be brought to the attention of the entire Board, rather than to individual members selectively. Board members are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

1.6. **Communication of Views and Positions.** The Board is committed to providing excellence in legislative leadership necessary to furnish the highest quality of government services to the public and to the District's customers. In order to achieve this goal, cooperative interaction between and among Board members is encouraged. As such, the following rules shall be observed:

1.6.1. Board members should refrain from discussing or commenting on District business on social media.

1.6.2. The dignity, style, values, and opinions of each Board member shall be respected. Responsiveness and attentive listening in communication is encouraged.

1.6.3. The needs of the public and the District's customers should be the priority of the Board.

1.6.4. Board members should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

1.6.5. Board members should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities, rather than issues, will be avoided.

1.6.6. Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions in a constructive and forthright manner. However, once the Board has taken action, individual Board members should commit to support said action and not create barriers to the implementation thereof.

1.7. **Board Discipline.** In the exercise of its discretion, the Board, by affirmative vote of four (4) of its members, may censure any of its members for a period of time deemed appropriate by said supermajority of the Board. Unless otherwise prohibited by law, the maximum penalty that may be imposed upon the censured member by said supermajority of the Board during the period of such censure shall be the following:

1.7.1. The suspension of all spending of District funds by the censured Board member and of all reimbursement from District funds of any costs incurred by the censured Board member, unless otherwise allowed by the Board.

1.7.2. The removal of the censured Board member from service as an officer of the Board, and/or on all committees and other assignments on behalf of the District and/or the Board, unless subsequently authorized by the Board.

1.7.3. The withholding of all compensation by the District to the censured Board member except as otherwise allowed for attending meetings of the Board and other meetings subsequently authorized by the Board.

Section 2. **RELATIONS WITH STAFF.**

2.1. **Interaction with Staff.**

2.1.1. **General.** The Board will deal with the administrative service of the District only through the General Manager. The General Manager is the Board's only link to operational achievement and conduct; all authority and accountability of staff is considered the authority and accountability of the General Manager. In the event the General Manager is unavailable, the next designated staff member would be accountable. Members of the Board will refrain from making requests directly to District employees (other than the General Manager) to undertake analyses, perform work assignments, or change the priority of work assignments. Additionally, Directors are to refrain from having open discussions regarding the District's operations or topics of a potentially sensitive nature with any staff member other than the General Manager, as doing so could undermine management, jeopardize the District's credibility, or even put the District at risk legally. The Board, as a whole, will not evaluate, either formally or informally, any staff member other than the General Manager. In seeking clarification on informational items, Directors should contact the General Manager to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making. Any Board member requests that require substantial work, as determined by the General Manager, will be addressed with the Board President.

2.1.2. **Division of Responsibilities.** The Board is responsible for setting District policy and procedures since each individual Director is accountable to the public as an elected official. The Board appoints the General Manager and defines the duties of the position. The Board is not to instruct management on the implementation of

District policies.

a. The Board is responsible for: (1) Establishing policies, direction, procedures, and oversight, and approving programs to implement policies, during open public meetings; (2) Appointing a General Manager, who will be responsible for the management of all operations and affairs of the District; and (3) Delegating certain powers to the General Manager in the operation of District affairs.

b. The General Manager is responsible for: (1) Recommendation of policies, direction, procedure, and oversight to the Board; (2) Recommendation of programs and systems to the Board for implementation of District policies; (3) Carrying out policies and projects approved by the Board; (4) Arranging an orientation of District departments and facilities for all new Board members (and re-orientation for current Board members indicating interest) within 60 days of the Board member being sworn as a Director of the District; and (5) Serving as the District's official spokesperson unless the Board specifically directs otherwise.

2.1.3. **Board of Directors/General Manager**

a. The Board sets the policy, direction, procedure, and oversight for the District. The District's General Manager shall be responsible for all of the following: (1) The implementation of the policies established by the Board for the operation of the District; (2) The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board; (3) The supervision of the District's facilities and services; and (4) The supervision of the District's finances. The Administrative Services Manager will oversee and maintain a system of auditing and accounting that will completely, and at all times, show the financial condition of the District in accordance with generally accepted accounting principles and legal requirements. The Board will retain and periodically review the work of an auditor as an independent contractor of the District (other than the Administrative Services Manager), who will report to the Board on an annual basis the results of an audit of the District's books, records, and financial affairs.

b. The District's General Manager serves at the pleasure of the Board. The Board will provide policy, procedure, oversight, direction, and instructions to the General Manager on matters within the authority of the Board by majority vote of the Board during duly convened meetings of the Board of Directors.

c. Members of the Board will deal with matters within the authority of the General Manager through the General Manager, and not through other District employees. Members of the Board will refrain from making requests directly to District employees (other than the General Manager) to undertake analyses, perform other work assignments, or change the priority of work assignments.

2.1.4. **General Manager Performance Evaluation.** The Board will evaluate the General Manager's performance qualitatively in conjunction with the annual anniversary of the General Manager's hire date, using as guidelines the General Manager's stated annual objectives. Adjustments in the General Manager's remuneration or contract will be consistent with the Board's evaluation of performance and achievement of stated objectives.

2.2. **Treasurer.** Pursuant to Resolution No. 08-12 adopted by the Board on August 13, 2008, the Board has designated an alternative depository for District funds in place of the San Bernardino County Treasury and has appointed a District Treasurer to serve in place of the County Treasurer. The same person may be appointed by the Board to serve as both the General Manager and the District Treasurer. The District Treasurer shall serve at the pleasure of the Board. The Board shall set the compensation of the District Treasurer. The Board shall require the District Treasurer to be bonded. The District shall pay the cost of the bonds.

Section 3. **REVIEW AND AMENDMENT.**

Each year the Board shall review this Resolution to determine its effectiveness and the necessity for its continued operation. The District's General Manager shall report to the Board on the operation of this Resolution, and make any recommendations deemed appropriate, including any proposed amendments. Upon conclusion of its review, the Board may take any action it deems appropriate concerning this Resolution. Nothing herein shall preclude the Board from taking action on the Resolution at times other than upon conclusion of the annual review. Any of the within rules not required by law may be suspended or changed by a majority of the members of the Board.

Section 4. **SEVERABILITY.**

If any provision of this Resolution, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or

application, and to this end the provisions of this Resolution are declared to be severable.

Section 5. **EFFECTIVE DATE.**

The provisions of this Resolution shall supersede Resolution No. 2019-15, adopted by the Board on September 4, 2019, and shall take effect immediately upon adoption.

ADOPTED this 5th day of January, 2022.

AYES: Hoffman, Johnson, Kujawa, Philips, Roberts

NOES:

ABSTAIN:

ABSENT:



President, Board of Directors

ATTEST:



Secretary, Board of Directors

Agenda Item 6d

Review & Discussion Regarding
Ordinance No. 2020-01; Setting
Compensation for the District's
Board of Directors

M E M O R A N D U M

DATE: February 8, 2023

TO: Board of Directors

FROM: Don Bartz, General Manager
By: Kim Sevy, HR & Solid Waste Manager/District Clerk

SUBJECT: Review & Discussion Regarding Ordinance No. 2020-01; Setting Compensation for the District’s Board of Directors

STAFF RECOMMENDATION

For the Board to review Ordinance No. 2020-01; Setting Compensation for the District’s Board of Directors and determine is any modifications are desired.

BACKGROUND

Periodically, the Ordinance concerning compensation for the District’s Board of Directors is reviewed and/or amended. The last time the Ordinance was amended was on February 19, 2020. At that time, the compensation amount was adjusted from \$110 to \$120 per compensable meeting.

Should the Board desire to change the compensation amount, the maximum amount per statute it could increase to is \$138.92/meeting with a maximum of 10 meetings per month. Any changes made to this Ordinance must follow ordinance adoption procedures. Below is a table of different Board compensation amounts from other nearby agencies:

AGENCY	AMOUNT/MEETING	MAX MEETINGS/MO	TOTAL MAX/MO
PPHCSD (current)	\$120.00	10	\$1,200.00
Mojave Water Agency	\$188.55	10	\$1,885.50
Helendale CSD	\$150.00	10	\$1,500.00

FISCAL IMPACT

None

ATTACHMENT(S)

Ordinance No. 2020-01

ORDINANCE NO. 2020-01
AN ORDINANCE OF THE
PHELAN PINON HILLS COMMUNITY SERVICES DISTRICT
SETTING COMPENSATION FOR ITS BOARD OF DIRECTORS

WHEREAS, the Board of Directors of the Phelan Pinon Hills Community Services District (“the District”) finds as follows:

A. Pursuant to Ordinance No. 2012-01 adopted by the District’s Board of Directors (“the Board”) on or about August 15, 2012, each member of the Board is entitled to receive compensation in the amount of \$110.00 for each day of service rendered on behalf of the District, not exceeding a total of ten (10) compensable days in any calendar month.

B. Pursuant to Water Code Section 20202, the rate of such compensation may be increased by an amount not to exceed five percent (5%) for each calendar year following the operative date of the last adjustment.

C. The Board has not made any adjustment in the amount of compensation paid to a director since its adoption of Ordinance No. 2012-01 on or about August 15, 2012.

THEREFORE, THE BOARD OF DIRECTORS of the District does hereby adopt and ordain as follows:

1. Each Board member of the District shall be entitled to receive compensation in the amount of \$120.00 for each day of service (as that term is defined in Section 1.2 of Resolution No. 2019-04 as may be amended from time to time) rendered on behalf of the District, not exceeding a total of ten (10) days in any calendar month, after the effective date of this Ordinance.

2. Compensation shall be paid to a director on the next payroll cycle following submission of the completed Board Stipend & Expense Voucher/Report to the District’s payroll

department. The Board Stipend & Expense Voucher/Report shall be submitted to the Board for approval in accordance with Section 1.3 of Resolution No. 2019-04 (as may be amended from time to time) indicating the date and purpose of the day of service, which approval shall be reflected in the minutes of the Board of the District.

3. This Ordinance shall take effect sixty (60) days after adoption pursuant to Water Code Section 20204.

ADOPTED this 19th day of February, 2020.

ROLL CALL:
Ayes: Hoffman, Johnson, Kujawa, Philips, Roberts
Noes:
Abstain:
Absent:



President, Board of Directors

ATTEST:



Secretary

Agenda Item 6e

Update on the Proposed Civic
Center & Phelan Park Expansion
Projects



A. 4176 Warbler Road
P.O. Box 294049
Phelan, CA 92329
P. (760) 868-1212
F. (760) 868-2323
W. www.pphcsd.org

MEMORANDUM

DATE: February 8, 2023
TO: Board of Directors
FROM: Don Bartz, General Manager
By: Kim Sevy, HR & Solid Waste Manager/District Clerk
SUBJECT: Update on the Proposed Civic Center & Phelan Park Expansion Project

STAFF RECOMMENDATION

None

BACKGROUND

Staff will update the Board on the Proposed Civic Center and Phelan Park Expansion Project.

FISCAL IMPACT

None

ATTACHMENT(S)

None

Agenda Item 7

Committee Reports/Comments

FINANCE COMMITTEE MEETING MINUTES

January 17, 2022
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371
& Remotely Via Zoom or Conference Call

Board Members Present: Mark Roberts, Vice President/Chair
Chuck Hays, Director

Board Members Absent: None

Staff Present: Don Bartz, General Manager
Lori Lowrance, Assistant General Manager/CFO
David Noland, Accountant
Aimee Williams, Asst. Board Clerk/Administrative Specialist

Guests/Public: None

Call to Order

Vice President Roberts called the meeting to order at 4:02 p.m.

Roll Call

All Committee Members were present at Roll Call.

1) Approval of Agenda

Vice President Roberts moved to approve the Agenda as amended. Director Hays seconded the motion. Motion passed unanimously.

2) Public Comment

None

3) Approval of Minutes

Vice President Roberts moved to approve the Agenda as amended. Director Hays seconded the motion. Motion passed unanimously.

4) Review of Disbursements

The Committee reviewed the disbursements.

5) Review of Financials

The Committee reviewed the financials.

6) Review of Solar Project Credits & Expenses

The Committee reviewed the solar project credits and expenses.

7) Review of Committee Roles & Responsibilities

The Committee reviewed the Roles & Responsibilities; no changes recommended.

8) Review of Strategic Plan – Finance Components

The Committee reviewed the Strategic Plan.

9) Discussion Regarding 2023/2024 Budget

The Committee reviewed the process and the schedule.

10) Committee Comments

Nothing further.

11) Review of Action Items

- a) **Prior Meeting** – None
- b) **Current Meeting** – None

12) Set Agenda for Next Meeting

- Special Meeting – March 21, 2023
- Regular Meeting – April 18, 2023
 - Add Cash/Investment Report to the agenda.

13) Adjournment

With no further business before the Committee, the meeting adjourned at 4:42 p.m.

Agenda materials can be viewed online at <https://www.pphcsd.org>

SPECIAL SOLID WASTE & RECYCLING COMMITTEE MEETING MINUTES

January 26, 2023 – 4:30 p.m.
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371
& Remotely Via Zoom or Conference Call

Board Members Present: Kathy Hoffman, Chair
Rebecca Kujawa, President

Board Members Absent: None

Staff Present: Kim Sevy, HR & Solid Waste Manager/District Clerk
Aimee Williams, Asst. Board Clerk/Administrative Specialist

CR&R Staff Present: Brent Speers, General Manager
Brandon McGill, Operations Manager

Call to Order

Vice President Philips called the meeting to order at 4:38 p.m.

Roll Call

All Committee Members were present at Roll Call.

- 1) **Approval of Agenda**
Director Hoffman moved to approve the Agenda. President Kujawa seconded the motion. Motion passed unanimously.
- 2) **Public Comment**
Public comment was given by Peter Barnes.
- 3) **Approval of Minutes**
President Kujawa moved to approve the Minutes. Director Hoffman seconded the motion. Motion passed unanimously.
- 4) **Review of Quarterly Report**
Ms. Sevy reviewed the quarterly report.
- 5) **Review of Solid Waste Events**
Ms. Sevy reviewed the programs and events.
- 6) **SB 1383 & Recycling Requirements**
Ms. Sevy gave an update on SB 1383 & recycling requirements.

Public comment was given by:

- Peter Barnes
- Cheryl Rhoden
- Debbie McAfee
- Meredith Hergenrader
- Unidentified Members of the Public

7) **Review of Committee Roles & Responsibilities**

A written report was in the packet.

8) **Review of Strategic Plan – Solid Waste Component**

The Solid Waste section of the Strategic Plan was reviewed; one item will be updated.

9) **Review of 2023/2024 Solid Waste CIP & Program Budget**

The Committee reviewed the CIP and Program Budget. Staff will investigate the cost of compost bins as a possible addition to the budget.

10) **Staff Reports**

A written report was included in the packet.

11) **Review of Action Items**

- a) **Prior Meeting** – None
- b) **Current Meeting** –
 - Research cost of compost bins
 - Update Strategic Plan
 - Update CIP

12) **Set Agenda for Next Meeting** – February 16, 2023

13) **Adjournment**

With no further business before the Committee, the meeting adjourned at 5:26 p.m.

Agenda materials can be viewed online at www.pphcsd.org

SPECIAL PARKS COMMITTEE MEETING MINUTES

January 10, 2023

Phelan Community Center
4128 Warbler Road, Phelan, CA 92371
& Remotely Via Zoom or Conference Call

Board Members Present: Rebecca Kujawa, President (Chair)
Greg Snyder, Director

Board Members Absent: None

Staff Present: Don Bartz, General Manager
Kim Sevy, HR & Solid Waste Manager/District Clerk
Steve Lowrance, Parks Supervisor
Aimee Williams, Asst. Board Clerk/Administrative Specialist

Guests/Public: None

Call to Order

President Kujawa called the meeting to order at 4:37 p.m.

Roll Call

All Committee Members were present at Roll Call.

1) **Approval of Agenda**

Director Snyder moved to approve the Agenda. President Kujawa seconded the motion. Motion passed unanimously.

2) **Public Comment** – None

3) **Approval of Minutes**

President Kujawa accepted the minutes.

4) **Review of Committee Roles & Responsibilities**

The Roles & Responsibilities were reviewed; no recommended changes.

5) **Review of Strategic Plan – Parks Components**

The Parks section of the Strategic Plan was reviewed; no recommended changes.

6) **Review of Parks & Recreation Capital Improvement & Maintenance Plan**

The Committee reviewed the CIP and Maintenance Plan; no recommended changes.

- 7) **Review of Parks Rules & Regulations**
The Parks Rules & Regulations were reviewed by the committee. Discussion regarding how to address the increase in incidents taking place in the park after schools are released for the day. Staff will add money to the budget to cover the cost of hiring a parks security person.
- 8) **Staff Report**
Nothing further.
- 9) **Committee Comments**
None.
- 10) **Review of Action Items**
 - a) **Prior Meeting** – None
 - b) **Current Meeting** – Get costs for park security measures and add it to the Draft Budget for review.
- 11) **Set Agenda for Next Meeting** – February 14, 2023
- 12) **Adjournment**
With no further business before the Committee, the meeting adjourned at 5:07 p.m.

Agenda materials can be viewed online at www.pphcsd.org

Agenda Item 8

Staff & General Manager's Report

Phelan Pinon Hills Community Services District
Engineering Manager's Report
February 8, 2023

Alternative Energy - 1.16 MW Solar Photovoltaic

Screw drives for tracking have failed on two sections of the solar panels. Due to availability, there is a longer than expected delay for material. Corrective maintenance site visit is scheduled for February 6th to replace one broken panel and IP configuration on all 58 inverters.

The district is scheduled to register its solar generation, Renewable Energy Credits (REC's), with the U.S. Department of Energy, Energy Information Administration (EIA) no later than March 3, 2023. Data report will be downloaded from TotalEnergies portal when available.

2021 registered 2,639 MWh (2,638,614 kWh)

2020 registered 2,658 MWh (2,657,613 kWh)

Geographic Information System (GIS)

Staff is currently updating all tanks and wells site with drone imagery and with latest photos of all booster stations. Staff has completed a draft reporting GIS portal for solid waste. This will be reviewed internally and possibly expand the portal to CR&R.

Pressure Zone 6 Improvements

The district continues to look at ways to improve its distribution system pressures. 2020 Water Master Plan (WMP) validated improving pressure at the west end of Maria Road in pressure zone (PZ) 6 with expanding PZ 7 with 1,300 lineal feet of 8-inch pipeline on Pinon Hills Road, between Nielson Road and Maria Road. Connections in PZ6 would see the increase in pressure. District staff has prepared design drawings for this project. The purchase of the material will be brought to the Board for approval in the Fall of 2022. Staff performed field testing in November of 2022 in respect to Tank 6A capacity. Tank level was brought to 10 feet from 23 feet over a 24-hour period resulting no immediate concerns of system pressure.

The WMP proposes increasing capacity at Tank site 6A with an additional 2.2 MG capacity tank adding additional storage from its existing 0.42 MG tank. Pending federal appropriations, the draft CIP table is proposing a 1.5 MG tank and moving the project up to the 2023-2024 budget year.

Civic Center / Community Center and Future Phelan Park Expansion

Status for phase 1 – (APN 3066-261-10) Civic Center Project

1. Preliminary COA (Conditions of Approval) Received-PRAA-2021-00040 –Warbler Road Improvement moved to Phase 2
2. Construction Documents for Phase 1 - 14,034 SF Civic Center Building Resubmitted January 27,2023 for removal of posts to replace with Beams, per District Request. (NEWNR-2021-00230)

3. Sheep Creek Street Improvement Plans - Approved (SIP-2021-00031)
4. WQMP plan check – corrections received January 19, 2023 (WQMP-2021-00153)
5. Preliminary Drainage – Approved (DRNSTY-2021-0005)
6. Grading Plan – 3rd plan check received Nov. 17, 2022, 4th submittal Feb. 6th. (GRAD-2021-00235)
7. Landscape Plans – Review since Nov. 19, 2021 – (PLP-2021-00018)
8. Edison service upgrade – Formal application Edison submittal on January 18, 2023
9. Incidental Intake Permit – in process by RCA Assoc. -Draft ITP Application Ready to Submit to CDFW. Invoice for CDFW \$34,585.25 paid Dec 2022 (for phase 2 and phase 3)
10. Vector Clearance – Approved.
11. Filed Preliminary Acoustical Info application with County, Acoustical Study is not required.
12. Electrical Light Standard Plans – plan check submittal
13. Percolation Test Updated report – Merrell Johnson – submittal to EHS January 24, 2023
14. Waste Management Plan (part 1) – Approved (WMP-2022-00646)

Phase 2 – Phelan Community Park [event plaza, splash pad, multi-use field (soccer), restrooms, concession, playground, native garden, community garden, and tennis court]

Phase 3 – Phelan Community Park [equestrian, multi-use (baseball), skate park, pump track]

Status for Phase 2 and Phase 3

1. Formal application, with studies, submitted to County Planning with deposit. (PROJ-2022-00184)
2. Traffic Study – Approved (TRSTY-2021-00016)
3. Percolation Study – Approved (SR0112960)
4. Geotechnical Report – conditionally approved (GTR-2022-00128)
5. Biological Assessment – complete
6. Joshua Tree Study completed Submitted ITP Application (Incidental Take Permit)
7. Cultural and Paleo Report – complete

8. Infiltration Report – complete
9. Hydrology Study – Pending
10. Preliminary Grading and Street Improvements (Warbler Road) – Pending
11. Noise Study – Pending
12. Draft CEQA IS/MND – Lilburn Corporation – anticipated draft early 2023

Fish and Game Commission proposed consideration of a Conservation Plan for the Joshua tree. The Commission met on October 12th. This meeting was set aside to hear from the Native American Tribes. No action was taken. The next meeting is scheduled for February 2023 to consider listing the Western Joshua Tree as an endangered species.

Comments from Van Dam were received for the ingress/egress and grading easements for APN 3066-251-05 and -06. Staff met with Van Dam earlier last week to discuss, project, easements and grading permission. Easements are required to abandon Sahara Road. Written permission was conditioned to proceed with the abandonment process with the County of San Bernardino.

Rider Levett Bucknall (RLB) to begin developing and issuing a Procurement Strategy Report and follow with preparing a Request for Qualifications (RFQ) for the Civic Center Project. RLB would complete the Request of Proposals as part of their scope of work.

Future Well No. 15, 16 and 17

Southwest Pumping and Drilling Inc. has mobilized site Well No. 15 on Azalea Road and begun drilling in mid-December. Fencing to be completed in the next week. Pump testing to begin next week to determine yield. A planner with Edison has been assigned. Edison completes in late April / early May. Transmission pipeline design is prepared in-house. Approximately 5,000 feet of 12” DIP pipeline from Well No. 15 to Reservoir Site on Sheep Creek Road and Hatillo Road.

Water Mainline Extension Projects (nothing new to report)

Pinon Road - to serve APN 3067-111-21

Proposed 353 Linear Feet of 8-inch PVC water pipeline, located on Pinon Road west from Ponderosa Road. Plans prepared by TRLS Engineering for Joel Jacoby. Second plan check completed. Pending pre-construction meeting.

Joshua St. - to serve APN 3038-131-08 (nothing new to report)

Proposed 665 Linear Feet of 8-inch PVC water pipeline, located on Joshua Street east of Caughlin Road. Owner: Donovan Homes. Plans prepared by TRLS Engineering. Second plan check completed on April 27, 2021. Pending County Fire Department approval.

Coyote Road - to serve APN 3068-621-06

Proposed 320 linear feet of 8-inch PVC water pipeline, from Yucatan Road east 320. Plans prepared by Merrell-Johnson Companies. First plan check submitted on September 19, 2022. Comments were addressed and a 2nd plan check is in progress.

Schlitz Road - to serve APN 3101-571-02 (nothing new to report)

Proposed 320 Linear Feet of 8-inch PVC water pipeline, located on Schlitz Road from Palmdale Road south 320 feet. Owner: So. Cal Services. Plans were prepared by TRLS Engineering. Second plan check complete. Pending County Fire Department approval.

Salerno Road - to serve APN 3101-431-08 (nothing new to report)

Proposed 950 Linear Feet of 8-inch PVC water pipeline, located on Salerno Road from Bambi Court west to 350 west of Johnson Road. Plans prepared by Merrell Johnson Companies Owner: Perez / Valdillez. First plan check completed March 30, 2021

Acanthus Street - to serve APN 3066-681-13 (nothing new to report)

Proposed 300 Linear Feet of 8-inch PVC water pipeline, located on Acanthus Street south from McAllister Road for Arturo Mata. Plans were prepared by Ludwig Engineering and approved in July of 2018. 2nd plan check completed April 14, 2021

Sequoia Road - to serve APN 3069-331-10 (nothing new to report)

Proposed 340 Linear Feet of 8-inch PVC water pipeline, located on Sequoia Road east of Johnson Road. Owner: ZAB LLC, Luis Benites. Plans were prepared by Capstone Engineering Inc. Plans approved. Pending pre-construction meeting.

Smoke Tree Road - to serve APN 3070-631-03 (nothing new to report)

Proposed 740 Linear Feet of 8-inch PVC water pipeline, located on Smoke Tree Road east of Beaver Road. Plans prepared by Rodriguez Brothers Engineering for Maria Sandoval. First plan check completed (June 8, 2022)

Beekley Road - to serve APN 3100-551-13 (nothing new to report)

Proposed 300 Linear Feet of 8-inch PVC water pipeline, located on Beekley Road north from Begonia Road. Plans prepared by TRLS Engineering. Final check complete on June 6, 2018. Pending County Fire Department approval.

San Bernardino County Public Works Projects

Phelan Road Widening Project

Work to include mill/overlay, leveling course, isolated areas of full depth reconstruction and the installation of a traffic signal at Clovis Road. Improvements from State Highway 138 to Los Banos Road. Work is tentatively scheduled for July 2023. This is phase 1 of 2.

Phase 2 will include road widening, from 2 lanes to 5 lanes, including drainage improvements, and the realignment of intersection Highway 138 and Phelan Road.

The tentative schedule is as follows:

- Project Approval/Environmental Document: Spring 2024
- Final Plans & Right of Ways Acquisitions: Fall 2025
- Construction: Spring 2026

MANAGEMENT REPORT

DATE: January 13, 2023
PREPARED BY: Kim Sevy, HR & Solid Waste Manager
SUBJECT: December 2022 Manager's Report

SOLID WASTE & RECYCLING

Customer Data:

<u>COMMERCIAL ACCOUNTS</u>	<u>NO.</u>	<u>CITATIONS ISSUED</u>	<u>NO.</u>
Trash	121	Commercial	0
Recycling	120	Residential	0
Organics	N/A		
		<u>PERMITS ACTIVE</u>	<u>NO.</u>
		Self-Haul - Commercial Recycling	1
		Self-Haul - Commercial Organics	0
		Self-Haul - Residential Recycling	N/A
		Self-Haul - Residential Organics	N/A

Notable Activity:

- Continuing to promote CR&R residential service to increase voluntary participation.
 - Monthly mailers in customer bills
 - Information in new customer packets
 - Social media ads
 - Information in District office

Upcoming/Current Events:

- Community Information Meeting
 - January 26, 2022 – 10:00am
 - Phelan Community Center & Zoom
 - Facilitated by MSW Consulting

Recent Events:

- Community Clean-up & Tire Day
 - November 5, 2022 – 8am-noon
 - CR&R Service Yard
 - 5 roll-offs of tires collected
 - 1 roll-off of trash collected

HUMAN RESOURCES

Statistical Data:

- Full Time Employees: 27
 - Engineering: 3
 - Water (Field): 10.5
 - Parks & Rec: 2.5
 - Administration: 11

- Part Time Employees: 0
- Temporary Employees: 0
- Open Positions: 0

MISCELLANEOUS

Upcoming District Events:

(for Park & Rec events, see Park Operations Supervisor's Report)

Board Election

- Certified on December 8, 2022
- New Board sworn in on December 14, 2022

Website Data (for December 2022)

My Account	3,858
Main Page	3,466
Water Department	545
Services	352
Contact Us	213
Apply for Service	189
Events	180
Solid Waste & Recycling	180
Meetings	177
Parks & Recreation	132
Calendar	124
Board Members	97
Other Payment Options	93
Rates & Fees	91
Sign Up for Classes	87
Employment	80
New Connections	69
Board of Directors Meetings	68
Residential Service	53

Grants

- **SB 1383 Local Compliance Grant**
 - Submitted in January 2022. The District was awarded \$20,000.
- **Small Scale Water Efficiency Grant**
 - \$75,000 to be disbursed when meters for Phase 3a are purchased. Verified meter purchase is in compliance with federal requirements.
- **Community Project Funding Request**
 - Staff submitted a Community Project Funding Request ("Request") in the amount of \$2,000,000 to help fund a portion of the Civic Center Project which will house the Community/Board Room that also will service as the area's Community Emergency Operations Center to Congressman Jay Obernolte.

- The \$2,000,000 request was funded in the FY2023 Omnibus appropriations bill which the Senate and House passed at the end of December.
- **County American Rescue Program Act (ARPA) Funds**
 - Staff submitted a request and the County verified receipt. Initial indications show a likely award of \$500k with matching provision towards various park improvements on original park site. Process to obtain funds TBD.

Agenda Item 9

Director Reports

ASBCSD January 2023

* Chris - CSDA - update on amount of electric vehicles needed in fleet by 2024.

Link to Website: <https://www.gobrightline.com/brightline-west>

Bullet Train by Brightline/Cucamonga Station

1. Stop in Hesperia for weekly commuters only
 - A. Potential to add to Palmdale
2. Stop in Apple Valley
3. Last stop Las Vegas

* Time and Price to bear similar to flight from Ontario

* Travel right down the middle of the I 15. (Some areas raised)

Project estimation at 5 billion (50/50) - Grants/Private Funding

Break ground 3rd or 4th quarter of 2023

Completion expected in 2027 (hopeful 1 year before Olympics)

Cucamonga Station:

Include parking structure, tunnel with autonomous vehicles to airport

Agenda Item 10

Correspondence/Information

COFFEE WITH YOUR REPRESENTATIVES



Saturday February 25, 2023

11:30 AM - 12:30 PM

Phelan Community Center

4128 Warbler Road

Phelan, CA



Congressman
Jay Obernolte



Sheriff
Shannon Dicus



Learn How To:

Use Your Meter as a Leak Detector

Continuous leaks from a 1/16" crack in a water pipe can cause water waste of almost 25,000 gallons in one month. A dripping faucet can waste 3 gallons per day or almost 1,000 gallons per year. Detecting, locating, and repairing a water leak not only saves water, but money too.

Water leaks come in many sizes and varieties. Some water leaks require plumber expertise and others can easily be repaired by a resident. The most common sources of water leaks are service line ruptures, sprinkler system line cracks, toilets, and faucets. Below are a few tips to on how to use your meter to determine if you have a leak.

Using Your Meter to Identify Leaks

- First, make sure there isn't any water being used in the house. This includes running toilets, washing machines, or dishwashers.
- In order to detect a leak on your meter, lift the lid on the actual meter to expose the digital readout register. A "+" sign in the round circle on the meter face will indicate water flowing through the meter.
 - You may also notice an increasing number amount on the right side of the decimal point.
 - If you notice one or both of these and you are sure there is no water use, then you most likely have a leak.



Contact us today if you suspect a leak or for more information at 760-868-1212.

4176 Warbler Road
Phelan, CA 92371
760-868-1212
www.pphcsd.org



Community Teaching Garden Classes

All Classes are
Held the Second Saturday of Each Month
Phelan Community Park
10 AM

January 14, 2023

Garden Design / Layout

July 8, 2023

Mulch/Watering Wisely

February 11, 2023

Starting Spring Seedlings

August 12, 2023

Feeding Plants

March 11, 2023

Building Raised Beds

September 9, 2023

Starting Winter Seedlings

April 8, 2023

Transplanting to
Garden Bed

October 14, 2023

Harvest / Storing
Vegetables and Fruits

May 13, 2023

Compost / Verma
Compost

November 11, 2023

Using a Greenhouse

June 10, 2023

Pest Control

December 9 2023

Tree Planting and Pruning

Agenda Item 11

Review of Action Items

District Meetings List

Board Meeting

Regular Meetings: Second & Fourth Wednesday of the Month

Meeting Time: 5:00pm

Board Members: Chuck Hays, Kathy Hoffman, Rebecca Kujawa Mark Roberts, Greg Snyder

Engineering – Standing Committee

Meeting Frequency: Monthly

Meeting Dates: Third Wednesday of each Month

Meeting Time: 4:00pm

Committee Members: Kathy Hoffman, Mark Roberts

Finance – Standing Committee

Meeting Frequency: Quarterly

Meeting Dates: Third Tuesday in January, April, July, October

Meeting Time: 4:00pm

Committee Members: Mark Roberts, Chuck Hays

Legislative – Standing Committee

Meeting Frequency: Quarterly

Meeting Dates: Second Tuesday in March, June, September, December

Meeting Time: 3:00pm

Committee Members: Chuck Hays, Greg Snyder

Parks, Recreation & Street Lighting – Standing Committee

Meeting Frequency: Quarterly

Meeting Dates: Second Tuesday in February, May, August, November

Meeting Time: 4:30pm

Committee Members: Rebecca Kujawa, Greg Snyder

Waste & Recycling – Standing Committee

Meeting Frequency: Monthly

Meeting Dates: Third Thursday of Each Month

Meeting Time: 4:30pm

Committee Members: Rebecca Kujawa, Kathy Hoffman

PRESS RELEASE - 1/19/2023

PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT 2022/2023 BUDGET PROCESS & SCHEDULE

Each year, staff is tasked with preparing a budget for consideration at an annual Public Hearing in June. The process leading up to the hearing includes several public meetings to provide the Board and the public with information for consideration and opportunities for input into the budget process. These public meetings include workshops, committee, and Board meetings. Beginning in January, committees review and update their respective Long Range Plans including the 10-year Capital Improvement Plan (CIP) and Maintenance plans. In February, staff gathers information in preparation for the budget. February through March, the Board reviews and approves the Long Range Capital Plans. Staff utilizes budget assumptions based on the consumer price index and other economic factors. Considering these guidelines, staff begins the process of preparing a draft budget. Staff works with department managers and supervisors to obtain budget information and incorporates the data with the assumptions as directed by the Board. The draft budget is reviewed by management and presented to the Finance Committee for consideration prior to being presented to the full Board. The Final Draft Budget is made available for review and a public hearing is held in June. The Final Draft Budget is presented to the Board during the public meeting for final review, consideration, and adoption. All of these are public meetings and the District encourages public attendance and participation. The events listed below have been scheduled to promote public participation and ensure the public has the opportunity to become familiar with the budget process. **The Public is invited to ALL of these sessions and is encouraged to attend.**

SCHEDULE OF EVENTS

PUBLIC MEETINGS AND HEARING FOR 2023/2024 BUDGET PROCESS

January & February	Committees meet, review, and update long range capital, maintenance plans, programs, and District goals. Committee meeting agendas are posted on the District calendar, in the office, online, and at the community centers. The public is invited and encouraged to attend and participate in this process.
Wednesday – 5:00 p.m. February 15, 2023	Special Board Workshop – Review and approval of committee proposed long range capital, maintenance plans, programs, and goals.
Tuesday – 4:00 p.m. March 21, 2023	Special Finance Committee – Review Draft Budget
Wednesday – 5:00 p.m. April 5, 2023	Special Board Workshop – Review Draft Budget
Tuesday – 4:00 p.m. April 18, 2023	Finance Committee – Review Final Draft Budget
Wednesday – 5:00 p.m. May 3, 2023	Special Board Workshop – Review Final Draft Budget. Note: This meeting is tentative. The meeting of April 5, 2023, will determine whether or not this meeting will be necessary.
Wednesday – 5:00 p.m. June 14, 2023	Regular Board Meeting Budget Hearing & possible Budget approval (with any modifications identified as a result of the hearing)

NOTE: Due to COVID-19 restrictions, any or all of the above meetings may be held via Zoom. All meetings will have an agenda posted in advance which tell how the meeting will be conducted.

Agenda Item 12

Set Agenda for Next Meeting